

EXHIBIT A-14

July 7, 2021 Letter from S. Yothers to J. Waldrop re: 6:20-cv-00924 (Dkt. 29-14)

EXHIBIT 14
July 7, 2021 Letter
from S. Yothers to J.
Waldrop Re C.A. No.
620-CV-924

JONES DAY

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July 7, 2021

VIA E-MAIL

Jonathan K. Waldrop, Esq.
Kasowitz Benson Torres LLP
333 Twin Dolphin Drive, Suite 200
Redwood Shores, CA 94065

Re: *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. NEC Corp.*,
C.A. No. 6:20-cv-00924-ADA (W.D. Tex.)

Dear Jonathan:

I write regarding WSOU's assertion of U.S. Patent No. 7,885,398 ("the '398 patent") in the above-captioned matter.

As we presently understand WSOU's May 10, 2021 infringement contentions, WSOU relies upon the "Dynamic WAN Selection (DWS)" feature of Infovista's Ipanema product. But while WSOU's contentions identify a September 2019 announcement that "NEC Partners With Infovista to Deliver Affordable, Customizable Connectivity For UC-SDN With Ipanema SD-WAN Solution," NEC never made any sales of the Ipanema solution. Since the time of that announcement, Infovista sent notice to terminate its agreement with NEC. And NEC agreed to terminate the agreement. Following this decision, NEC removed those products from its website. As such, there will not be any future sales of the Ipanema solution. NEC is prepared to provide a declaration attesting to these facts (i.e., that there have not been and will not be any sales of the Ipanema DWS solution by NEC).

Upon our review of WSOU's infringement contentions, we were unable to identify any infringement allegations of any claim that do not rely upon the Ipanema DWS solution. And, NEC has been unable to identify any "past, current and future NEC products and services that have the same or substantially similar features as the specifically identified products and services." As such, before either side spends unnecessary resources on a case for which there are no accused sales (and will not be any accused sales), NEC requests that WSOU voluntarily dismiss the above-captioned case. As noted above, NEC is prepared to provide a declaration regarding the lack of sales, and NEC is similarly willing to notify WSOU if it ever reestablishes a relationship with Infovista that may result in sales of the Ipanema DWS solution.

JONES DAY

Jonathan K. Waldrop, Esq.
July 7, 2021
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We are available to discuss this matter if helpful in resolving the dispute without further unnecessary expense.

Sincerely,

/s/ Stuart W. Yothers

Stuart W. Yothers